

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In Re: New York City Policing  
During Summer 2020 Demonstrations

20 Civ. 8924 (CM)(GWG)

This filing is related to:

ALL CASES

**PLAINTIFFS' SECOND CONSOLIDATED SET OF REQUESTS FOR  
PRODUCTION OF DOCUMENTS TO ALL DEFENDANTS**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and Rule 26.3 of the Local Civil Rules of the United States District Court for the Southern and Eastern Districts of New York, plaintiffs in these consolidated actions<sup>1</sup> (“Plaintiffs”) request that defendants City of New York, Mayor Bill de Blasio, New York City Police Department (“NYPD”) Police Commissioner Dermot F. Shea, and other defendants named in the pleadings in these actions (“Defendants”) produce for examination, inspection and copying, within thirty (30) days of the service hereof, or such shorter time as the Court orders or the parties stipulate, all documents described below at the New York State Office of the Attorney General, Civil Rights Bureau, 28 Liberty Street, 20th Floor, New York, New York 10005, or at such other place or time, or in such other manner, as the parties mutually agree.

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<sup>1</sup> Pursuant to the Court’s February 22, 2021 Order (ECF No. 40), the following cases have been consolidated for pretrial purposes: *Payne, et al, v. Mayor Bill De Blasio*, No. 20 Civ. 8924; *Sierra, et al, v City of New York*, No. 20 Civ. 10291; *Wood v. City of New York*, No. 20 Civ. 10541; *People of the State of New York v City of New York*, No. 21 Civ. 322; *Sow, et al, v. City of New York*, 21 Civ. 533; and *Yates v. City of New York et al*, 21 Civ. 1904. Plaintiffs in all consolidated actions hereby serve their second consolidated set of Requests for Production of Documents to all Defendants in the consolidated actions without prejudice to plaintiffs in any of these actions supplementing these consolidated Requests with additional case-specific Requests for Production of Documents.

### **DEFINITIONS**

1. Plaintiffs incorporate by reference herein the Uniform Definitions in Discovery Requests set out in Rule 26.3(c) of the Local Civil Rules of the United States District Court for the Southern and Eastern Districts of New York (the “Local Civil Rules”).
2. “Arrest” means an Officer’s seizure, detention, or arrest of a person, including but not limited to for the purpose of issuing them a C-Summons (“summons”) or Desk Appearance Ticket (“DAT”) or fully processing them for arraignment.
3. “Complaints” means the Complaint, or any superseding amended Complaint, filed in each of these consolidated actions: *Payne, et al, v. Mayor Bill De Blasio*, No. 20 Civ. 8924; *Sierra, et al, v. City of New York*, No. 20 Civ. 10291; *Wood v. City of New York*, No. 20 Civ. 10541; *People of the State of New York v. City of New York*, No. 21 Civ. 322; and *Sow, et al, v. City of New York*, 21 Civ. 533; *Yates v. City of New York et al*, 21 Civ. 1904 (together, the “Actions”).
4. “Date” means the exact day and time, month, and year if ascertainable, or if not, the best approximation (including relationship to other events).
5. “Defendants” include each and every defendant named in the Complaints.
6. “Document(s)” shall have the full meaning ascribed to it in Rule 34 of the Federal Rules of Civil Procedure and Local Civil Rule 26.3(c), and for purposes of these Requests shall be deemed to include “electronically stored information” (“ESI”) as also defined in Rule 34. Examples of documents include, but are not limited to, all writings in any form, calendars, correspondence, diaries, manuals, memoranda, notes, log entries, reports, records, drawings, graphs, charts, photographs, sound recordings, images, video recordings, telephone records, Bloomburys, FINEST messages, electronic mail messages, telephonic text messages (including SMS and MMS, iMessages, WhatsApp messages and

all instant messages sent and received by whatever means or platform), spreadsheets, databases, all other forms of electronic communication, and other data or data compilations of whatever nature stored in any medium (including those from which information can be obtained or translated if necessary into a reasonably useable form).

For the avoidance of doubt, document(s) shall include all originals of any nature whatsoever and all non-identical copies thereof, whether different from the originals by reason of any notation made on such copies or otherwise.

7. “Kettling,” “kettling tactics” or “encirclement” means any and all plans, methods, procedures, tactics, strategies, or approaches, by whatever name or characterization, utilized by NYPD to control crowds, address disorderly conduct, and/or effectuate mass arrests and detentions, whether intentional or not, whereby Officers physically surround or otherwise contain members of the public within an area, leaving them few or no routes of egress without direct contact with Officers.
8. “Legal Observer” means an individual who attends a public demonstration to observe and document interactions between law enforcement and demonstrators.
9. “Officer” means a member of service of the NYPD, regardless of rank, including but not limited to any and all officers, detectives, sergeants, lieutenants, captains, chiefs, and/or deputy commissioners.
10. “Person” means any natural person, association, business, group, organization, legal entity, government entity, or other entity.
11. “Protests” means any and all protests, demonstrations, or gatherings at the Protest Locations identified on the **attached Schedule A** and/or referenced in any of the Complaints.

12. “Protest-Related Violation or Offense” means an alleged violation of any of the following laws during a demonstration or protest: New York State Vehicle and Traffic Law (“VTL”) Section 1156(a) (Pedestrians in Roadways); New York State Penal Law (“PL”) Section 240.05 (Riot in the Second Degree); PL Section 240.10 (Unlawful Assembly); PL Section 205.30 (Resisting Arrest); PL Section 195.05 (Obstruction of Governmental Administration in the Second Degree); PL Section 240.20(5) (Disorderly Conduct – Blocking Vehicular or Pedestrian Traffic); PL Section 240.20(6) (Disorderly Conduct – Refusing to Obey a Lawful Dispersal Order); New York City Administrative Code (“NYAC”) Section 3-108 (Executive Order Violation); and NYAC Section 10-110(c) (Parading Without a Permit), and any other offenses with which any individual who participated in any Protested was actually Arrested for and/or charged.
13. “Surveillance” means any activity undertaken to obtain information or evidence.

### **INSTRUCTIONS**

1. In addition to following the rules of construction in Rule 26.3(d) of the Local Civil Rules, whenever necessary to bring within the scope of these Requests Documents that might otherwise be construed to be outside its scope: (a) the use of a verb in any tense shall be construed as the use of that verb in all other tenses; and (b) the use of the feminine, masculine, or neuter genders shall include all genders.
2. No paragraph herein shall be construed with reference to any other paragraph for the purpose of limitation.
3. Unless otherwise indicated, the relevant time period for purposes of these Requests is between January 1, 2018, and the present.
4. All Documents shall be produced in the manner in which they are maintained in the usual course of business. A request for a Document shall be deemed to include a request for

any and all file folders or binders within which the Document was contained, transmittal sheets, cover letters, exhibits, enclosures, or attachments to the Document in addition to the Document itself.

5. Any Request that calls for production of specific documents or forms where the information contained within such documents or forms is maintained in electronic databases or similar repositories, Plaintiffs request production of the underlying data in lieu of the documents or forms themselves, unless the documents or forms contain additional or unique information, in which case the Request encompasses both the underlying data and the documents and forms.
6. Provide all ESI in the forms and manner specified in the Parties' agreed-upon production specifications.
7. In the event Defendants withhold any Document called for by these Requests on the basis of a claim of privilege, Defendants shall provide the information required by Rule 26.2 of the Local Civil Rules.
8. In the event that any Document called for by these Requests has been destroyed or discarded, Defendant shall provide an affidavit by a person with personal knowledge identifying the Document so lost, discarded, or destroyed as completely as possible, providing at least the following information: (i) the type of Document withheld; (ii) any author, addressor and/or addressee; (iii) any indicated or blind copy recipients; (iv) the Document's date, subject matter, number of pages, and attachments or appendices; (v) all persons to whom the Document was distributed, shown or explained; (vi) the Document's date of destruction or discard, manner of destruction or discard, and reason for

destruction or discard; and (vii) the persons authorizing and carrying out such destruction or discard.

9. If objection is made to any of the Requests, the response shall state whether documents are being withheld from inspection and production on the basis of such objection, or whether inspection and production of the responsive Documents will occur notwithstanding such objection.

10. If there are no Documents responsive to any particular request, the response shall state so in writing.

11. These Requests are continuing in nature. In accordance with Rule 26(e) of the Federal Rules of Civil Procedure, Defendants are required promptly to serve supplementary responses and produce additional documents if Defendants obtain further or different information.

### **DOCUMENTS REQUESTED**

#### **Request No. 45:**

Produce all the documents identified in Defendants' Initial Disclosures to the extent they have not been produced.

#### **Request No. 46:**

Produce copies of all subpoenas Defendants served on any party, or any individual or entity, concerning this litigation.

#### **Request No. 47:**

Produce all documents received in response to any subpoenas served.

#### **Request No. 48:**

Produce any and all organizational chart(s) or other similar documents showing or explaining the organizational structure of the NYPD, including information providing identification of the

leadership and the command structure of every component part or organizational unit within NYPD.

**Request No. 49:**

Produce all documents concerning the City of New York's contention that, "[c]lose to 400 NYPD personnel were injured," at Protests as stated on page 1 of Defendants' Memorandum of Law in Support of their Motion to Dismiss (Dkt 106).

**Request No. 50:**

Produce all documents concerning any NYPD officer who was injured at a Protest.

**Request No. 51:**

Produce all HIPAA releases for all medical providers that treated any NYPD officer who was injured at a Protest, including the 4 officers whose photos are on page 5 of Defendants' Memorandum of Law in Support of their Motion to Dismiss (Dkt 106).

**Request No. 52:**

Produce all documents concerning the City of New York's contention that, "[p]rotestors set police cars ablaze; vandalized precinct houses; threw rocks, bricks, bottles at officers; stabbed, punched, bit officers; and hurled Molotov cocktails at officers," as stated on page 1 of Defendants' Memorandum of Law in Support of their Motion to Dismiss (Dkt 106).

**Request No. 53:**

Produce all documents concerning any violence by participants of any Protest.

**Request No. 54:**

Produce all documents concerning the City of New York's contention that, "The City of New York already has committed to implementing numerous changes to the NYPD, recommended in the wake of these unprecedented protests, and is also finalizing a Reform and Reinvention Plan, required by the State of New York of all localities receiving state funds," as stated on page 1 of Defendants' Memorandum of Law in Support of their Motion to Dismiss (Dkt 106).

**Request No. 55:**

Produce all documents concerning the City of New York's contention that, "there is no history of unlawful policing [by the NYPD] at protests" and "there is no history of unconstitutional policing at protests by NYPD," as stated on page 2 of Defendants' Memorandum of Law in Support of their Motion to Dismiss (Dkt 106).

**Request No. 56:**

Produce all documents concerning the City of New York's contention that, "police seized hammers, lighter fluid, gas masks, and fireworks from protesters headed to the Mott Haven protests on June 4, 2020," as stated on page 6 of Defendants' Memorandum of Law in Support of their Motion to Dismiss (Dkt 106).

**Request No. 57:**

Produce all documents concerning the City of New York's contention that, "[i]n response to the unprecedented protests and at the Governor's directive, the City of New York is revamping policing, including policing at protests," as stated on page 6 of Defendants' Memorandum of Law in Support of their Motion to Dismiss (Dkt 106).

**Request No. 58:**

Produce all drafts of any “plans for reinventing the police,” as stated on page 6 of Defendants’ Memorandum of Law in Support of their Motion to Dismiss (Dkt 106), submitted by the Mayor, and all documents concerning those drafts.

**Request No. 59:**

Produce all documents concerning the City of New York’s contention that it accepted “all 30 collective recommendations from both agencies” as stated on Page 7 of Defendants’ Memorandum of Law in Support of their Motion to Dismiss (Dkt 106), as well as documents concerning those recommendations.

**Request No. 60:**

Produce all documents concerning the City of New York’s contention that it accepted “the City has implemented (and is considering implementing) a plethora of actions, including drafting a new policy concerning First Amendment rights at protests and disorder control tactics; assessing existing training to develop new content related to protest, de-escalation, and crowd psychology,” as stated on Page 7 of Defendants’ Memorandum of Law in Support of their Motion to Dismiss (Dkt 106), as well as documents concerning those policies and trainings.

**Request No. 61:**

Produce all documents concerning the nature and structure of each of the below-listed databases and/or information systems, including, but not limited to, documents sufficient to identify the database(s) or other location(s) in which the underlying data housed in or accessible through each NYPD front-end system are stored, and including documents concerning: the information contained in each database and system; the fields in each database and system; the manner in which changes to the database/information system are logged; how audit logs are created and

stored in the database and system; documentation of what information is stored in the database and system and how it is stored; all of the ways in which the database and system can be searched and queried; how information can be exported from the database and system; and any and all documents concerning training materials used in training users of the database or system.

- a. NYPD's Crime Database Warehouse (CDW) and any related database(s);
- b. NYPD's Domain Awareness System (DAS) and any related database(s);
- c. NYPD's Omniform System and any related database(s);
- d. NYPD's Real Time Crime Center (RTCC) and any related database(s);
- e. NYPD's Electronic Case Management System (ECMS) and any related database(s);
- f. NYPD's Property and Evidence Tracking System (PETS) and any related database(s);
- g. NYPD's Activity Log - Electronic memo book application and any related database(s);
- h. NYPD's Department iPhones and iPads;
- i. NYPD's Finest Online Records Management System (FORMS) and related database(s);
- j. NYPD's Automated Roll Call System (ARCS) and related database(s); and
- k. NYPD camera ESI storage systems and related database(s), including, but not limited to, such systems and databases related to Body Worn Cameras (BWC) footage; Technical Assistance and Response Unit (TARU) footage (including the TARU Job Tracker system); Aviation Unit footage; ARGUS closed circuit television (CCTV) systems; and NYPD facility camera footage (including Mass Arrest Processing Center (MAPC) footage).

**Request No. 62:**

Produce all documents concerning how Body Worn Camera video is collected and stored, including all documents concerning the protocols for preserving this video, the software used to house and/or manage this video, how this video is exported from the Body Worn Camera devices, and what audit trails and metadata are available regarding the Body Worn Camera devices and the video they create.

**Request No. 63:**

Produce all documents concerning the applications available on, data stored on, and usage of the tablets and smartphones provided to individual members of the NYPD, including, but not limited to, training materials used in training tablet and smartphone users.

**Request No. 64:**

Produce all documents reflecting the deployment and use of video/photographic equipment in connection with each of the Protests that are required to be created under NYPD Patrol Guide 212-71 (“Guidelines for the Use of Video/Photographic Equipment by Operational Personnel at Demonstrations”) and PG 212-72 (“Guidelines for Uniformed Members of the Service Conducting Investigations Regarding Political Activities”), including, but not limited to: the report required to be submitted to the NYPD’s Legal Bureau according to ¶¶ 1-4 of PG 212-71 and all documents created as a result of or in response to it (such as Legal Bureau and Intelligence Division records reflecting compliance with the *Handschu v. Special Services Division* consent decree); the serially numbered log maintained by the NYPD’s Technical Assistance Response Unit (“TARU”) under ¶¶ 5-6 of PG 212-71 related to all TARU deployments on each date on which one of the Protests took place; TARU Job Reports from the TARU Job Tracker system, or other, similar documents, related to each use of

video/photographic equipment related to one of the Protests; all records regarding requests made to obtain or review such recordings or photographs made in writing to the Deputy Commissioner, Legal Matters and whether such requests were granted; and all other documents required to be created under PG 212-71 that are in the possession of the NYPD's TARU, Legal Bureau, Chief of Department's Office, Operations Unit, and within each Bureau or Borough Command that requested the use of video or photographic equipment related to any Protest(s).

**Request No. 65:**

Produce all documents concerning the NYPD's use of data analytics and predictive policing as it relates to the policing of protesting, including how this technology was used to respond to the Protests.

**Request No. 66:**

Produce all documents concerning the NYPD's Surveillance of participants of Protests online and their online activities, including all Surveillance by the NYPD's Social Media Analysis Research Team (SMART), Intelligence Division, or Counter-Terrorism Bureau.

**Request No. 67:**

Produce all documents concerning the use of facial recognition software on any video or photographs of the Protests, including the Dataworks Plus software and any such work by the NYPD's Facial Identification Center or Intelligence Division.

**Request No. 68:**

Produce all documents concerning any searches of cell phones obtained from participants at the Protests, including: any documents or logs that were created relating to the search; any documents identifying what happened to the data extracted from these cell phones and the

location of where this data was stored; documents identifying how this data was cross-referenced with any other data in any other database.

**Request No. 69:**

Produce all documents concerning the use of Stingray devices, or any other device that monitors cell phones, at the Protests, as well as documents concerning any information obtained using one of these devices, identifying the location of where such information is stored, and describing how it is analyzed.

**Request No. 70:**

Produce all documents concerning the Mayor's contention that "what happened in Mott Haven . . . is something that the NYPD saw coming," including all documents concerning the Surveillance preceding the June 4, 2020 Mott Haven Protest (Protest No. 44 on Schedule A) and all documents concerning any decision regarding the use of force at that Protest.

**Request No. 71:**

Produce all documents concerning the Mayor's contention that "the NYPD has acted appropriately," after video emerged showing an NYPD SUV driving into a crowd of protestors on May 30, 2020.

**Request No. 72:**

Produce all documents concerning videos of Protests, from May 28, 2020 to June 3, 2020, that the Mayor viewed or that were shown to the Mayor on or before June 4, 2020.

**Request No. 73:**

Produce all documents concerning videos of protests from June 4, 2020, including, but not limited to, the June 4, 2020 Mott Haven Protest (Protest No. 44 on Schedule A), that the Mayor viewed or that were shown to the Mayor on or after June 4, 2020.

**Request No. 74:**

Produce all documents concerning videos of Protests on Schedule A that occurred after June 4, 2020, that the Mayor viewed or that were shown to the Mayor.

**Request No. 75:**

Produce all documents concerning Commissioner Dermot Shea's June 5, 2020 statement that the NYPD response to the June 4, 2020 Mott Haven Protest (Protest No. 44 on Schedule A) was "executed nearly flawlessly," including any investigations into this statement and any discipline or recommendations of discipline that were made.

**Request No. 76:**

Produce all documents concerning potential changes to policies or practices related to protest and/or disorder policing that Defendants considered or implemented as a result of evaluations of or recommendations related to Defendants' responses to the Protests, including, but not limited to, any internal NYPD evaluations or recommendations, evaluations or recommendations by Defendant de Blasio or any agency of Defendant City (such as the Office of the Inspector General, the Law Department, or the CCRB), or other evaluations, and including, but not limited to, responsive documents from the NYPD's Chief of Department, Operations Unit, Criminal Justice Bureau, Strategic Response Group, Disorder Control Unit, Legal Bureau, and Office of Management and Planning.

**Request No. 77:**

Produce all documents concerning the Office of the Inspector General of the New York City Police Department's ("OIG-NYPD") June 26, 2019 report entitled, "Complaints of Biased Policing in New York City: An Assessment of NYPD's Investigations, Policies, and Training," including all documents collected and reviewed during the course of investigating and then drafting the report.

**Request No. 78:**

Produce all documents concerning the NYPD's decision to reject the three recommendations by the OIG-NYPD presented in the June 26, 2019 report, which stated: (1) the "NYPD should amend its Patrol Guide policies to explicitly require NYPD officers and non-uniformed employees to report instances of biased policing upon observing or becoming aware of such conduct"; (2) the "NYPD should amend its Patrol Guide policies so that complaints alleging the use of offensive or derogatory language associated with an individual's actual or perceived protected status, such as racial slurs, are classified as biased policing if there is a discriminatory intent"; and (3) the "NYPD should amend its written investigative procedures related to biased policing so that offensive or derogatory language associated with an individual's actual or perceived protected status, such as an officer's use of racial slurs, is classified, investigated, and adjudicated as a biased policing matter."

**Request No. 79:**

Produce all documents concerning the President of the NYPD Sergeants Benevolent Association's circulation of a racist video in August 2019, as described in paragraph 157 of the *Sierra* First Amended Complaint (Dkt 98), including any investigations into this action and any discipline or recommendations of discipline that were made.

**Request No. 80:**

Produce every document that shows which officers wore what helmet numbers on the days on which the Protests occurred; if you are unable to conclude the answer with certainty, provide every log and other document that reflects which helmet numbers were assigned to what officers on the days of the protests.

**Request No. 81:**

Produce every document concerning Defendants' policies and practices concerning distribution of protective gear by SRG officers and SRG protective helmet numbers.

**Request No. 82:**

Produce all documents concerning the NYPD's 2021 First Amendment Policy ("Response to First Amendment Activities" available at [https://www1.nyc.gov/assets/nypd/downloads/pdf/public\\_information/draft-1a-activities-for-public-comment-2021-05-27a.pdf](https://www1.nyc.gov/assets/nypd/downloads/pdf/public_information/draft-1a-activities-for-public-comment-2021-05-27a.pdf)), its request for comment on the draft policy, the NYPD's consideration of such comments (and other factors) in developing the First Amendment Policy, and the final policy adopted.

**Request No. 83:**

Produce documents concerning the NYPD's activities relating to any marches, protests, or demonstrations occurring on or about June 26-27, 2021, including but not limited to any such documents relating to protests organized by the Reclaim Pride Coalition.

**Request No. 84:**

Produce any and all documents or communications between Defendants and any borough District Attorney's Office relating to mass arrests that resulted in dispositions that include decline to prosecute.

**Request No. 85:**

Produce any and all documents concerning policy or practice changes, changes in training, or FINEST messages that were in some way a response to the judgment in *Abdell v. City of New York*, No. 05 Civ. 8453 (RJS) (S.D.N.Y.) and/or *Gersbacher v. Winski*, No. 14 Civ. 7600 (S.D.N.Y.); the settlement in *Rodriguez, Williams, James, et al v. City of New York*, 12-cv-03389 (S.D.N.Y.); or the District Court summary judgment decision in *Dinler v. City of New York* 1:04-cv-7921 (S.D.N.Y.) (Dkt. No. 312 therein).

**Request No. 86:**

Produce any and all documents concerning policy or practice changes, changes in training, or FINEST messages that were in some way a response to the settlement of the RNC cases, including but not limited to *MacNamara, et al., v. City of New York, et al.*, 04 Civ. 9216 (KMK)(JCF) (S.D.N.Y.).

**Request No. 87:**

Produce any and all documents concerning policy or practice changes, changes in training, or FINEST messages that were considered or adopted in some way a response to the events and lawsuits described in ¶¶ 421-429 of the *Sow* First Amended Complaint (Dkt 96).

**Request No. 88:**

Produce all documents concerning persons at the June 4, 2020, Mott Haven Protest (Protest No. 44 on Schedule A) throwing plastic bottles containing liquids and/or Molotov cocktails (including but not limited to identifying videos depicting such acts).

**Request No. 89:**

Produce all documents concerning an attempt by someone at the June 4, 2020 Mott Haven Protest (Protest No. 44 on Schedule A) to throw a wheelbarrow onto members of the service (including but not limited to identifying videos depicting such an act).

**Request No. 90:**

Produce all documents concerning the alleged stabbing of an NYPD officer at the June 4, 2020 Mott Haven Protest (Protest No. 44 on Schedule A), including but not limited to videos depicting such an act, records concerning medical treatment for the injury, documents concerning the weapon that was used, and the identity of the perpetrator and any arrest or prosecution documents.

**Request No. 91:**

Produce all documents, including, but not limited to, NYPD and CCRB documents, and documents reflecting communications between the NYPD and CCRB, concerning the CCRB's "unprecedented challenges in investigating" complaints arising from the Protests, including, but not limited to, the CCRB's inability to identify "officers due to the failure to follow proper protocols, officers covering their names and shield, officers wearing protective equipment that did not belong to them, the lack of proper use of body worn cameras, as well as incomplete and severely delayed paperwork" (from CCRB 2020 Protest Data Snapshot -- June 21, 2021).

**Request No. 92:**

Produce all radio transmissions concerning the June 4, 2020 Mott Haven Protest (Protest No. 44 on Schedule A) in complete form, i.e., not a combined set of transmissions, but the complete transmission from each source point.

**Request No. 93:**

Produce all documents concerning Aviation Surveillance of the June 4, 2020 Mott Haven Protest (Protest No. 44 on Schedule A), including but not limited to orders, directives, instructions, and communications.

**Request No. 94:**

Produce all documents concerning all NYPD investigations into the conduct of Sergeant Edward Mullins concerning his distribution of a racist video clip in August 2019, and concerning the February 2021 CCRB substantiation of three complaints against him for offensive language and abuse of authority.

**Request No. 95:**

Produce all documents concerning any NYPD investigation into the display of a "white power" symbol by any NYPD officer since January 1, 2014.

**Request No. 96:**

Produce all documents concerning any NYPD investigations into the statements and conduct of Deputy Inspector James Kobel.

**Request No. 97:**

Produce all documents concerning complaints of biased policing by NYPD officers since January 1, 2014.

**Request No. 98:**

Produce all documents concerning oral or written statements by NYPD officers reflecting racial bias by that officer since January 1, 2014.

**Request No. 99:**

Produce all complaints to the NYPD (whether formal or simply a report of information to the NYPD) and investigations since January 1, 2014, concerning racist statements or conduct by an NYPD officer, regardless of whether the statement or conduct took place during, or outside of, the officer's course of employment.

**Request No. 100:**

Produce all Documents created by the New York City Emergency Management (NYCEM) concerning any of the Protests, including but not limited to emails and/or alerts from the NYCEM Watch Command.

**Request No. 101:**

Produce all documents referenced in your Answers to the Complaints to the extent they have not been produced in response to other Requests.

Dated: July 28, 2021

/s/ Travis W. England

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**Schedule A: List of Protest Locations<sup>2</sup>**

<b><u>Protest No.</u></b>	<b><u>Date</u></b>	<b><u>Approximate Location</u></b>	<b><u>Complaint Allegations</u></b>
1	May 28, 2020	Lafayette Street to City Hall, Manhattan	<i>People</i> , ¶ 51 <i>Sow</i> , ¶ 65
2	May 28, 2020	Union Square, Manhattan	<i>People</i> , ¶¶ 128-132 <i>Payne</i> , ¶ 44 <i>Sow</i> , ¶ 65
3	May 29, 2020	Foley Square Manhattan to Near Barclays Center, Brooklyn via Brooklyn Bridge	<i>People</i> , ¶¶ 52, 193-195, 196-202 <i>Payne</i> , ¶ 45 <i>Sow</i> , ¶ 65 <i>Wood</i> , ¶¶ 45-47
4	May 29, 2020	Clinton Hill, Brooklyn	<i>People</i> , ¶¶ 52, 133-140, 223-226
5	May 29, 2020	Fort Greene, Brooklyn	<i>People</i> , ¶ 52
6	May 29, 2020	Bedford-Stuyvesant, Brooklyn (Herbert von King Park), Brooklyn	<i>People</i> , ¶¶ 141-149, 161-163
7	May 29, 2020	Pacific Street and Flatbush Avenue, Brooklyn	<i>People</i> , ¶¶ 215-219 <i>Wood</i> , ¶¶ 48-50
8	May 29, 2020	Union Square, Manhattan	<i>People</i> , ¶ 52
9	May 29, 2020	Herald Square, Manhattan	<i>People</i> , ¶ 52
10	May 30, 2020	Jackson Heights, Queens	<i>People</i> , ¶ 53
11	May 30, 2020	Park Slope, Brooklyn	<i>People</i> , ¶ 53
12	May 30, 2020	East Flatbush, Brooklyn	<i>People</i> , ¶¶ 53, 312-317 <i>Sow</i> , ¶ 67
13	May 30, 2020	Near Bedford & Tilden Aves., Brooklyn	<i>People</i> , ¶¶ 178-192, 235-236
14	May 30-31, 2020	Barclays Center to Flatbush Extension, Brooklyn	<i>People</i> , ¶¶ 203-207, 107-114 <i>Payne</i> , ¶¶ 47-48, 107-115
15	May 30, 2020	Harlem / West Side Highway, Manhattan	<i>People</i> , ¶¶ 402-407
16	May 30, 2020	Union Square to FDR Drive/Lower East Side, Manhattan	<i>Payne</i> , ¶¶ 50, 117-123 <i>Sow</i> , ¶¶ 130-151
17	May 30, 2020	City Hall to Brooklyn Bridge, Manhattan	<i>Sow</i> , ¶¶ 152-177
18	May 31, 2020	Near Barclays Center, Brooklyn	<i>People</i> , ¶ 54 <i>Sow</i> , ¶ 68

<sup>2</sup> The allegations listed in this table reference those in the Amended Complaints in *People*, No. 21 Civ. 322 (ECF No. 51), *Payne*, No. 20 Civ. 8224 (ECF No. 54), *Sierra*, No. 20 Civ. 10291 (ECF No. 38), *Sow*, 21 Civ. 533 (ECF No. 49) and *Wood*, 20 Civ. 10541 (ECF No. 48) and the Complaint in *Yates*, No. 21 Civ. 1904 (ECF No. 1).

<b><u>Protest No.</u></b>	<b><u>Date</u></b>	<b><u>Approximate Location</u></b>	<b><u>Complaint Allegations</u></b>
19	May 31, 2020	Downtown Brooklyn to multiple bridges	<i>People</i> , ¶ 54
20	May 31, 2020	Brooklyn Bridge	<i>People</i> , ¶ 54
21	May 31, 2020	From Manhattan Bridge to Chinatown, Church Street, and/or across Canal Street, Manhattan	<i>People</i> , ¶ 54 <i>Yates</i> , ¶¶ 13-21 <i>Wood</i> , ¶¶ 51-54
22	May 31, 2020	Near Williamsburg Bridge, Manhattan	<i>People</i> , ¶ 54
23	May 31, 2020	Broadway to E. 11 <sup>th</sup> St. & Near Union Square, Manhattan	<i>People</i> , ¶¶ 155-160, 231-234  <i>Payne</i> , ¶¶ 125-130
24	May 31, 2020	Times Square, Manhattan	<i>People</i> , ¶ 54
25	May 31, 2020	F.D.R. Drive, Manhattan	<i>People</i> , ¶¶ 208-210
26	June 1, 2020	Midtown, Manhattan	<i>People</i> , ¶¶ 55, 227-230 <i>Payne</i> , ¶ 53 <i>Sow</i> , ¶¶ 208-219
27	June 1, 2020	East Village, Manhattan	<i>People</i> , ¶ 55
28	June 1, 2020	Near Union Square Park, Manhattan	<i>People</i> , ¶ 55 <i>Payne</i> , ¶ 53
29	June 1, 2020	Near Barclays Center, Brooklyn, Crossing Manhattan Bridge into Times Square & Near Port Authority, Manhattan	<i>People</i> , ¶ 55 <i>Sow</i> , ¶¶ 180-206
30	June 1, 2020	Fordham Manor, Bronx	<i>People</i> , ¶ 55
31	June 1, 2020	Astoria Park, Queens	<i>People</i> , ¶ 55
32	June 1, 2020	Flushing, Queens	<i>People</i> , ¶ 55
33	June 2, 2020	Lower Manhattan/Foley Square to Central Park, Manhattan	<i>People</i> , ¶¶ 56, 318-323 <i>Payne</i> , ¶¶ 131-136
34	June 2, 2020	Union Square, Manhattan	<i>People</i> , ¶¶ 56
35	June 2, 2020	Near Barclays Center, Brooklyn to Manhattan Bridge	<i>People</i> , ¶¶ 330-336
36	June 2, 2020	Upper West Side, Manhattan	<i>People</i> , ¶¶ 56, 423-430
37	June 2, 2020	Astor Place, Manhattan	<i>People</i> , ¶ 56
38	June 2, 2020	Chelsea, Manhattan	<i>People</i> , ¶ 56 <i>Payne</i> , ¶ 54
39	June 2, 2020	Near West Side Highway, Manhattan	<i>Payne</i> , ¶ 54 <i>Sow</i> , ¶¶ 220-237, 239-282
40	June 2, 2020	Bryant Park to Midtown, Manhattan	<i>People</i> , ¶ 57 <i>Wood</i> , ¶¶ 55-59
41	June 3, 2020	Cadman Plaza, Brooklyn	<i>People</i> , ¶¶ 57, 164-168, 337-346 <i>Payne</i> , ¶¶ 55, 143-159

<b><u>Protest No.</u></b>	<b><u>Date</u></b>	<b><u>Approximate Location</u></b>	<b><u>Complaint Allegations</u></b>
			<i>Sow, ¶ 83</i> <i>Wood, ¶¶ 65-66</i>
42	June 3, 2020	Maria Hernandez Park, Brooklyn	<i>People, ¶ 57</i>
43	June 3, 2020	Midtown East/Upper East Side, Manhattan	<i>People, ¶¶ 57, 237-246, 347-354</i> <i>Sow, ¶ 84-85, 284-309</i> <i>Wood, ¶¶ 60-64</i>
44	June 4, 2020	Mott Haven, Bronx	<i>People, ¶¶ 58, 169-170, 247-255, 284-310, 366-387</i> <i>Wood, ¶¶ 116-167</i> <i>Payne, ¶¶ 59-65, 161-173, 182-192, 194-200</i> <i>Sierra, ¶¶ 41-124</i> <i>Sow, ¶¶ 86-93, 310-329, 332-345, 348-390, 392-418</i>
45	June 4, 2020	McCarren Park to South Williamsburg, Brooklyn	<i>People, ¶¶ 355-365</i> <i>Payne, ¶¶ 58, 202-206</i> <i>Wood, ¶¶ 67-68</i> <i>Sow, ¶ 84-85</i>
46	June 4, 2020	Clinton Hill and Prospect Heights, Brooklyn	<i>People, ¶ 59</i>
47	June 4, 2020	Flatbush, Brooklyn	<i>People, ¶ 59</i>
48	June 4, 2020	Brooklyn Bridge	<i>People, ¶ 59</i>
49	June 4, 2020	Midtown, Manhattan	<i>People, ¶ 59</i>
50	June 4, 2020	Flushing, Queens	<i>People, ¶ 59</i>
51	June 4, 2020	Central Park West, Manhattan	<i>People, ¶ 59</i>
52	June 5, 2020	Crown Heights, Brooklyn	<i>People, ¶ 60</i>
53	June 5, 2020	Sunset Park, Brooklyn	<i>People, ¶ 60</i>
54	June 5, 2020	Staten Island	<i>People, ¶ 60</i>
55	June 5, 2020	Near Gracie Mansion, Manhattan	<i>People, ¶ 60</i>
56	June 5, 2020	Barclays Center to Downtown Brooklyn	<i>People, ¶ 60</i>
57	June 5, 2020	Nostrand Ave., Brooklyn	<i>Payne, ¶ 71</i>
58	June 6, 2020	Financial District, Manhattan	<i>People, ¶ 61</i>
59	June 7, 2020	Upper East Side, Manhattan	<i>People, ¶ 61</i>
60	June 8, 2020	Times Square, Manhattan	<i>People, ¶ 61</i>
61	June 14, 2020	Times Square, Manhattan	<i>Payne, ¶ 74</i>
62	June 28, 2020	Foley Square to West Village, Manhattan (incl. Washington Square Park)	<i>People, ¶ 62</i> <i>Payne, ¶¶ 78, 174-180, 209-210</i>
63	June 23-30, 2020	City Hall Park, Manhattan	<i>Payne, ¶ 74</i>

<b><u>Protest No.</u></b>	<b><u>Date</u></b>	<b><u>Approximate Location</u></b>	<b><u>Complaint Allegations</u></b>
64	July 3, 2020	City Hall Park, Manhattan	<i>People</i> , ¶ 63
65	July 11, 2020	Dyker Heights, Brooklyn	<i>Sow</i> , ¶ 101
66	July 12, 2020	Bay Ridge, Brooklyn	<i>Sow</i> , ¶ 102
67	July 15, 2020	Brooklyn Bridge Pedestrian Path	<i>People</i> , ¶¶ 408-421
68	July 28, 2020	Kips Bay, Manhattan	<i>People</i> , ¶ 64
69	September 11, 2020	McCarren Park, Brooklyn	<i>People</i> , ¶ 65
70	September 17, 2020	Foley Square, Manhattan	<i>Payne</i> , ¶ 76
71	September 19, 2020	Times Square, Manhattan	<i>Payne</i> , ¶ 77
72	September 26, 2020	Washington Square Park and Near Sixth Precinct Stationhouse, Manhattan	<i>People</i> , ¶ 66
73	October 6, 2020	Borough Park, Brooklyn	<i>Sow</i> , ¶ 103
74	October 7, 2020	Bedford-Stuyvesant, Brooklyn	<i>People</i> , ¶ 67
75	October 25, 2020	Coney Island, Brooklyn to near Trump Tower, Manhattan, to Brooklyn Park	<i>Sow</i> , ¶ 104
76	November 1, 2020	Hell's Kitchen, Manhattan	<i>Sow</i> , ¶ 105
77	November 4, 2020	Washington Square Park, W. 8 <sup>th</sup> and Greenwich Ave., Manhattan	<i>People</i> , ¶¶ 68, 388-389
78	November 4, 2020	Central Park to Union Square, Manhattan	<i>People</i> , ¶ 68, 390-393 <i>Payne</i> , ¶ 78
79	November 5, 2020	West Village to Union Square, Manhattan	<i>People</i> , ¶ 69 <i>Payne</i> , ¶ 79
80	December 2, 2020	Staten Island	<i>Sow</i> , ¶ 106
81	December 11, 2020	Downtown Brooklyn	<i>People</i> , ¶ 70
82	January 12-16, 2021	Downtown Brooklyn	<i>Payne</i> , ¶ 138
83	January 18, 2021	Barclays Center, Brooklyn to City Hall Park, Manhattan	<i>People</i> , ¶¶ 71, 112-113 394-398 <i>Payne</i> , ¶¶ 80, 139-140